

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, OCTOBER 19, 2016

The Council met at 7:03 P.M.

The Council President Nadrowski announced: “I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of October 19, 2016 has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on October 14, 2016.”

The Regular Meeting of the Municipal Council of the City of Bayonne is now in session.

The Clerk called the roll.

Present were: Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

The Council President led the Pledge of Allegiance.

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01. Peter Franco addressed the council on a program to feed the hungry and volunteerism.

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02. The clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE ,” which was introduced and passed a first reading at a meeting held September 21, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of October 19, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council President Nadrowski moved that the following resolution of second reading be adopted, seconded by Council Member LaPelusa, which motion was adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, and President Nadrowski.

Absent – Council Member Perez.

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE ”

The council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The Council President will recognize anyone who wishes to speak.

The following person spoke: Melanie Flora – 108 East 25th Street

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski motioned to close the hearing, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

Council President Nadrowski moved a resolution for final passage, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE ” was introduced and passed a first reading at a meeting held September 21, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of October 19, 2016; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-16-56.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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03. The clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS,” which was introduced and passed a first reading at a meeting held September 21, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of October 19, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved that the following resolution of second reading be adopted, seconded by Council Member Cotter, which motion was adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, and President Nadrowski.

Absent – Council Member Perez.

The Clerk read the ordinance by title: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS,”

The council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The Council President will recognize anyone who wishes to speak.

There was no response – no person appearing to protest against or object to the ordinance or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member LaPelusa motioned to close the hearing, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

Council Member LaPelusa moved a resolution for final passage, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS,” was introduced and passed a first reading at a meeting held September 21, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of October 19, 2016; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-16-57.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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04. The clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS,” which was introduced and passed a first reading at a meeting held September 21, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of October 19, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved that the following resolution of second reading be adopted, seconded by Council President Nadrowski, which motion was adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, and President Nadrowski.

Absent – Council Member Perez.

The Clerk read the ordinance by title: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS,”

The council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The Council President will recognize anyone who wishes to speak.

There was no response – no person appearing to protest against or object to the ordinance or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski motioned to close the hearing, seconded by Council Member LaPelusa, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

Council President Nadrowski moved a resolution for final passage, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS,” was introduced and passed a first reading at a meeting held September 21, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of October 19, 2016; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-16-58.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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05. The clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held September 21, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of October 19, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved that the following resolution of second reading be adopted, seconded by Council Member Gullace, which motion was adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, and President Nadrowski.

Absent – Council Member Perez.

The Clerk read the ordinance by title: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,”

The council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The Council President will recognize anyone who wishes to speak.

There was no response – no person appearing to protest against or object to the ordinance or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member LaPelusa motioned to close the hearing, seconded by Council Member Nadrowski, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

Council Member LaPelusa moved a resolution for final passage, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held September 21, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of October 19, 2016; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-16-59.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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06. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held September 21, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of October 19, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved that the following resolution of second reading be adopted, seconded by Council President Nadrowski, which motion was adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, and President Nadrowski.

Absent – Council Member Perez.

The Clerk read the ordinance by title: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,”

The council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The Council President will recognize anyone who wishes to speak.

There was no response – no person appearing to protest against or object to the ordinance or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member LaPelusa motioned to close the hearing, seconded by Council Member Gullace, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

Council Member LaPelusa moved a resolution for final passage, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held September 21, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of October 19, 2016; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-16-60.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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07. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held September 21, 2016, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of October 19, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved that the following resolution of second reading be adopted, seconded by Council President Nadrowski, which motion was adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, and President Nadrowski.

Absent – Council Member Perez.

The Clerk read the ordinance by title: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,”

The council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The Council President will recognize anyone who wishes to speak.

There was no response – no person appearing to protest against or object to the ordinance or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Cotter motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

Council President Nadrowski moved a resolution for final passage, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held September 21, 2016, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of October 19, 2016; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-16-61.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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08. Council Member Cotter introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7 TRAFFIC

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

That Chapter 7, Article 38.2 is hereby amended and supplemented, as follows (Additions ****between asterisks**** and underlined, deletions [within brackets] and ~~crossed-out~~):

7-38.2 Time-Limited Metered Parking Lots.

a. *Zones Established.* The following public off-street parking areas shall be parking meter zones:

1. Lots 34 and 35 in City Block 226, on the tax map of the City, all of which are located on East 19th Street, south side between Broadway and Avenue E.

2. Lots 1, 4, 15, 16, 17, 18 and 19 are approximately 1,350 square feet of Lot 24 in City Block 221 on the tax map of the City all of which are located between East 19th and East 21st Streets between Broadway and Avenue E.

3. Lots 22 and 23 in City Block 216 all of which are located on the south side of West 21st Street between Broadway and Avenue C.

4. Lot 4 in City Block 203 on the tax map of the City located on the north side of West 22nd Street between Broadway and Avenue C.

5. Lot 2 in City Block 195 on the tax map of the City of Bayonne all of which is located to the rear of 509-515 Broadway on the south side of West 24th Street between Broadway and Avenue C.

6. Lots 19, 6 and 22 in City Block 189 located to the rear of 527-531 Broadway and on the north side of West 24th Street between Broadway and Avenue C.

7. Lot 15 in City Block 198 on the tax map of the City all of which is located on the south side of East 24th Street between Broadway and Avenue E.

8. Lot 1 in City Block 191 on the tax map of the City all of which is located on the north side of East 24th Street between Broadway and Avenue E.

9. The westerly portion of Lot 11 in City Block 184 on the tax map of the City used as a parking lot located on the south side of East 26th Street between Broadway and Avenue E.

10. Lots 4, 5 and 6 in City Block 179 on the tax map of the City all of which are located on the north side of East 26th Street between Broadway and Avenue E.

11. Lots 5.01 and 5.02 in City Block 140 on the tax map of the City all of which are located on the north side of East 33rd Street between Broadway and Avenue E.

****12. Lots 26 and 27 in City Block 277 on the tax map of the City also known by street address 9-11 West 9th Street, all of which are located to the rear of 229 Broadway on the north side of West 9th Street between Broadway and Avenue C****

Council Member Cotter moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this

Council to be held Wednesday, November 9, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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09. Council Member LaPelusa introduced:

City of Bayonne
Capital Improvement Ordinance

A Capital Improvement Ordinance to provide funding for the Purchase and Installation of Generators in the amount of \$207,854.

Whereas, a need exists to purchase and install generators for emergency power at various Firehouses and Community warming/cooling centers, now therefore, be it

ORDAINED that a Capital Improvement Ordinance be established to fund the following:

Purchase and Installation of Generators	\$207,854.00
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Be it further

ORDAINED that funding is provided through FEMA Grants Number DR-4086-NJ-498-R and DR-4086-NJ-175 in the amount of \$207,854.00.

Council Member LaPelusa moved the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled “CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR THE PURCHASE AND INSTALLATIONS OF GENERATORS IN THE AMOUNT OF \$207,854,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 9, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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10. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH 160 EAST 2ND STREET URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 160 EAST 22ND STREET (BLOCK 464.01, LOT 2.02) IN THE CITY

WHEREAS, 160 EAST 2ND STREET URBAN RENEWAL, LLC is the owner of certain property designated as Block 464.01, Lot 2.02 in the City of Bayonne, which is commonly known by the street location of 160 East 22nd Street in the City (the “Property”); and

WHEREAS, the Property is located within the boundaries of the City's Urban Enterprise Zone; and

WHEREAS, 160 EAST 2ND STREET URBAN RENEWAL, LLC proposes to construct a project the will consist of a seven story building with Class A storage units containing 117,250 square feet pursuant to final site plan approval; (the "Project"); and

WHEREAS, 160 EAST 2ND STREET URBAN RENEWAL, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained vacant for many years, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, 160 EAST 2ND STREET URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, 160 EAST 2ND STREET URBAN RENEWAL, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 160 EAST 2ND STREET URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

WHEREAS, insofar as the subject premises is the subject of a lawsuit entitled, "Delta Self Storage, LLC, a Limited Liability Company of the State of New Jersey v. Bayonne East 23rd Street Realty LLC., 160 EAST 2ND STREET URBAN RENEWAL, LLC., a Limited Liability Company of the State of New Jersey and the Zoning Board of Adjustment of the City of Bayonne; Docket No. L-003177-16), the implementation of the Financial Agreement with 160 EAST 2ND STREET URBAN RENEWAL, LLC shall be conditioned upon the litigation being resolved in favor of permitted the use proposed by the defendant therein;

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for 160 EAST 2ND STREET URBAN RENEWAL, LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to, and in conformity with the provisions of the Exemption Law, subject however, to the final resolution of the above noted litigation in favor of the defendant(s) permitting the proposed use for the subject property.

Section 2. Upon final resolution of the above noted litigation, the Mayor is hereby authorized to execute the Financial Agreement with 160 EAST 2ND STREET URBAN RENEWAL, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 160 EAST 2ND STREET URBAN RENEWAL, LLC, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute, any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.

Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH 160 EAST 22ND STREET URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 160 EAST 22ND STREET (BLOCK 464.01, LOT 2.02) IN THE CITY,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 9, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

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11. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That the Revised General Ordinances of the City of Bayonne Chapter 7, Traffic, Section 7-37.3, Handicapped Parking on Street for Private Residences, be and is hereby amended and supplemented as follows:

RESTRICTIVE PARKING ZONES

DELETE

151. Mary Kimak, 190 Avenue C

Beginning at a point on the east side of Avenue C, 116 feet south of the southeast corner of East 7th Street and Avenue C, and extending to a point 22 feet south thereof.

248. Benjamin Esparra, 144 Humphrey Avenue

Beginning at a point on the south side of West 6th Street, 27 feet east of the southeast corner of West 6th Street and Humphrey Avenue, and extending to a point 20 feet east thereof.

ADD

381. Rocco Bleich, 140 West 58th Street

Beginning at a point on the south side of West 58th Street, 131 feet east of the southeast corner of West 58th Street and Kennedy Boulevard, and extending to a point 18 feet east thereof.

382. Demiana Habashi, 11 West 39th Street

Beginning at a point on the north side of West 39th Street, 120 feet west of the northwest corner of West 39th Street and Broadway, and extending to a point 18 feet west thereof.

383. Shenouda Hanna, 35-37 West 29th Street

Beginning at a point on the north side of West 29th Street, 260 feet east of the northeast corner of West 29th Street and Avenue C, and extending to a point 18 feet east thereof.

384. Gail Gebhardt, 303 Newman Avenue

Beginning at a point on the north side of West 2nd Street, 55 feet east of the northeast corner of West 2nd Street and Newman Avenue, and extending to a point 18 feet east thereof.

385. John Nelson, 437 Kennedy Boulevard, Apt. 31 for his wife, Eleanor

Beginning at a point on the south side of West 16th Street, 59 feet west of the southwest corner of West 16th Street and Kennedy Boulevard and extending to a point 20 feet west thereof.

386. Elaine Reichert, 22 West 45th Street

Beginning at a point on the south side of West 45th Street, 258 feet west of the southwest corner of West 45th Street and Broadway, and extending to a point 18 feet west thereof.

387. Mary Jane Sheehan, 152 West 18th Street

Beginning at a point on the south side of West 18th Street, 76 feet west of the southwest corner of West 18th Street and Avenue A, and extending to a point 17 feet west thereof.

Council LaPelusa moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 9, 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

12. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Section 2-1.3 of the Revised General Ordinances of the City of Bayonne permits the Municipal Council, by an affirmative vote of the members present at a council meeting, to approve a consent agenda consisting of one or more communications or resolutions; now, therefore, be it

RESOLVED, That the following items which have been included on the agenda for this regular meeting as COMMUNICATIONS and which follow this resolution shall constitute a consent agenda for communications and that they be received and filed and included in the official minutes of this meeting as having been so ordered.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

13. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From AIMEE WILSON, filing notice of tort claim alleging property damage to her automobile on August 13, 2016 resulting from a loose manhole cover at Pulaski Street near Route 440.

* * * * *

14. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From NATASHA OBERREUTER, filing notice of tort claim alleging Personal injury on April 29, 2016 resulting from a fall on the sidewalk at the overpass at East 32nd Street between Avenue E and Prospect Avenue.

* * * * *

15. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From the Superior Court of New Jersey, Law Division, Summons and Third Party Complaint in matter entitled, “SMART vs. MUNDIN, et al. vs. BELLEZA and THE CITY OF BAYONNE.” (Sidewalk fall down on August 8, 2014 at 1208 Kennedy Boulevard)

* * * * *

16. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, "BANK OF AMERICA vs. KISSOON, et al.." (Mortgage foreclosure – City has judgments for construction code violations.)

* * * * *

17. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Section 2-1.3 of the Revised General Ordinances of the City of Bayonne permits the Municipal Council, by an affirmative vote of the members present at a council meeting, to approve a consent agenda consisting of one or more communications or resolutions; now, therefore, be it

RESOLVED, That the following items which have been included on the agenda for this regular meeting as OFFICERS' REPORTS and which follow this resolution shall constitute a consent agenda for officers' reports and that they be received and filed and that any resolution incorporated within them be adopted and included in the official minutes of this meeting as having been so ordered.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

18. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From Terrence Malloy, Chief Financial Officer, reporting on vendor payments and recommending payment of same, and a resolution adopting the recommendation and ordering payment of claims.

* * * * *

19. The Council as a whole moved the following communication be received and filed, which motion was adopted.

DATE: October 5, 2016

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

CC: Leo J. Smith, Jr., School Business Administrator

FROM: Janet Convery, Treasurer

Please be advised that I have transferred the following to the Board of Education:

\$5,239,669.59 CLAIMS & PAYROLL FOR October 2016

Janet Convery
Treasurer
(signed)

* * * * *

20. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Section 2-1.3 of the Revised General Ordinances of the City of Bayonne permits the Municipal Council, by an affirmative vote of the members present at a council meeting, to approve a consent agenda consisting of one or more communications or resolutions; now, therefore, be it

RESOLVED, That the following items which have been included on the agenda for this regular meeting as RESOLUTIONS and which follow this resolution shall constitute a consent agenda for resolutions and that they be adopted and included in the official minutes of this meeting as having been so ordered.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

21. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

RESOLVED, That the official minutes of the regular council meeting held Wednesday, September 21, 2016 be and the same are hereby approved.

* * * * *

22. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, September 14, 2016, be and the same are hereby approved.

* * * * *

23. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Thomas Aldo Donato, a Jersey City native but an adopted son of Bayonne, was ordained into the priesthood on May 29, 1965; and

WHEREAS, “Father Donato,” as he was known to the children and parishioners of St. Vincent of De Paul parish from 1973 to 1982 and “Pastor Donato,” as he was known to the children and parishioners of Our Lady of Assumption parish from 1982-1988, was revered for his intelligence, wit, welcoming personality and unconditional commitment to his parishes;

WHEREAS, Pastor Donato’s inherent talents and qualities and commitment to the Church were recognized by the Catholic Church in 1996 when Pope John Paul II named him a Prelate of Honor with the title of Reverend Monsignor; and

WHEREAS, in 2004 Reverend Monsignor Donato returned to Bayonne as Pastor of Saint Henry’s Parish and on May 21, 2004 he was appointed as Titular Bishop of Jamestown and Auxiliary Bishop of Newark; and

WHEREAS, the City of Bayonne would be remiss if it did not recognize and celebrate the contributions and benefits The Most Reverend Thomas Aldo Donato visited upon the City of Bayonne through his years of service with St. Vincent’s, Assumption and St. Henry’s parishes; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

- 1. That West 29th Street between Avenue C and John F. Kennedy Boulevard shall hereafter be known as “Bishop Thomas A. Donato Way.”

* * * * *

24. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the properties set forth below all carry overpayments on their property tax accounts in the amounts indicated; and

WHEREAS, these taxpayers have requested refunds of the overpayments indicated; and

WHEREAS, the Director of Finance has recommended that these amounts be refunded to the taxpayers; now therefore be it

RESOLVED, that warrants be drawn to the order of the taxpayers listed, in the amounts indicated; and be it further

RESOLVED, that the warrants be forwarded to the Tax Collector for delivery to the payees.

BLOCK	LOT	PAYEE	AMOUNT
78	19	Catherine Gallagher	1,959.51
273	31	Bayonne Community Bank	8,314.13
430	4	Terrell G. Foster	2,224.15

Total: 12,497.79

* * * * *

25. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Baran & Son Roofing, 851 Avenue C, Bayonne New Jersey submitted an application for a Building Permit in connection with roof installation at 79 East 28th Street on June 29, 2016 and paid the permit fee and administrative costs in the amount of \$374.00 to the City of Bayonne; and

WHEREAS, Baran & Son Roofing submitted a second application for a Building Permit for the aforesaid roof installation and paid an additional permit fee and administrative costs in the amount of \$374.00 to the City on August 30, 2016; and

WHEREAS, subsequent thereto it was discovered that Baran & Son Roofing paid the Building Permit fee and administrative costs in the amount of \$374.00 in connection with the aforesaid roof installation twice; and

WHEREAS, funds are certified as available in Account GL-220; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate officials of the City of Bayonne are hereby authorized to issue a warrant in the amount of \$374.00 payable to Baron & Son Roofing, 851 Avenue C, Bayonne, New Jersey representing reimbursement of the additional Building Permit fee and administrative costs associated with the aforesaid roof installation at 79 East 28th Street, Bayonne, New Jersey.

2. Funds shall be charged to Account GL-220.

* * * * *

26. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated ** by Richard Bielinski, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$10,535.00 representing payment of state surcharge fees on new construction and alterations collected during the 3rd quarter of 2016; and be it further

RESOLVED, that said warrant be forwarded to the Construction Official for transmittal to the New Jersey Department of Community Affairs; and be it further

RESOLVED, that this expense to be charged to Account - Trust Funds, State Training Fees with the Tax Collector, Account #12-286-56-312-2-199.

* * * * *

27. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

RESOLVED, That a warrant in the amount of \$ 27.60 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1210-1217 inclusive, 8 dog licenses, representing one dollar per license for the state fee, twenty cents per license for the state clinic and three dollars per license for non-spayed and non-neutered dogs.

* * * * *

28. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

RESOLVED, that the actions of the Treasurer in issuing warrants totaling \$ 15,650.00 are hereby ratified and confirmed. Said warrants are to be charged to O-15-16 in the amount of \$ 12,850 payable to Expert Patio LLC and Park Maintenance –O.E.in the amount of \$ 2,800 payable to Pompilio & Sons.

* * * * *

29. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

Whereas, the Tax Assessor for the City of Bayonne has previously approved the exemption application dated July 20, 2015 by a 100% Disabled Veteran who occupies a two family home located at Block 343 Lot 19 (60 East 5th Street), in the City of Bayonne, and

Whereas, the original exemption was for a two family home which was subsequently converted to a one family home occupied by the qualified veteran and his spouse as confirmed by the "certificate of Continue Occupancy" issued by the City of Bayonne Building Department on 7/18/2016; and

Whereas, the Tax Assessor advises that this change of status entitled the entire property to the exemption as of the conversion date;

Now therefore be it resolved as follows:

1. The property taxes on Block 343 Lot 19 (60 East 5th Street), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective July 18, 2016 with the assessor to revise the assessment going forward and the tax collector to calculate and refund to the taxpayer any resulting overpayment of the tax bills from that date (July 18, 2016) to the date of passage of this resolution (estimated at approximately \$ 901.90 exclusive of 4th quarter taxes (which would add approximately \$989.89 should they be paid in the interim), any such refund EXPRESSLY SUBJECT TO the Tax Collector's records and calculations based on the final tax rate and the amount of tax actually billed and paid for the year or years to which the exemption applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount so as to assure that the exemption is fully effectuated in 2016. The Tax Collector is further authorized to credit or adjusting all 2016 and future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.
3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

30. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application dated August 8, 2016 by a 100% Disabled Veteran who occupies a one family home located at Block 375 Lot 38 (189 W 1st Street), in the City of Bayonne, and

Whereas, the qualified veteran has asked the City Council effectuate the exemption on 6/3/2016, the date he purchased the property, his disabled veteran status having been confirmed as an earlier date (09/01/2015); and

Whereas, the Tax Assessor has confirmed eligibility for the exemption as of 6-3-2016 and the City Council desires to grant this request;

Now therefore be it resolved as follows:

1. The property taxes on the one family home located at Block 375 Lot 38 (189 W 1st Street), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective June 3, 2016 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at approximately \$2,423.33 for the prorated portion of the 2016 tax year, EXPRESSLY SUBJECT TO the Tax Collector's records and calculations based on the final tax rate and the amount of tax actually billed and paid for the period to which the exemption applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated for 2016. The Tax Collector is further authorized to credit or adjusting all future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.

3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

31. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

BE IT RESOLVED, that the Municipal Council hereby authorizes the solicitation of proposals in accordance with a "fair and open" contracting process as defined in the New Jersey Local Unit Pay to Play Law (N.J.S.A. 10:44-20.4 et seq.) for a Licensed Recycling Facility to receive and market certain recyclable materials for a one (1) year period commencing January 1, 2017 and ending December 31, 2017.

* * * * *

32. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is in need of various professional services and/or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2017 and ending December 31, 2017 including, but not limited to, professional legal services, engineering services, accounting services, information technology services, etc., now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of various Requests for Qualifications/Proposals for the aforesaid professional and or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2017 and ending December 31, 2017 pursuant to the fair and open contracting provisions set forth in *N.J.S.A. 19:44A-20.4* and *N.J.S.A. 19:44A-20.5*.

* * * * *

33. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Municipal Council Resolution No. 15-03-18-043 was adopted on March 18, 2015 authorizing the Mayor and City Clerk to enter into an agreement with the Bayonne Community Day Nursery, 591 Broadway, Bayonne, New Jersey in the amount of \$141,000.00 for the purpose of providing the cost of reconstruction of various parts of the building located at 591 Broadway, Bayonne, New Jersey for the period commencing September 1, 2013 and ending August 31, 2014; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-03-18-43, the City of Bayonne entered into Agreement No. CY15-040 with the Bayonne Community Day Nursery; and

WHEREAS, Resolution 16-06-22-061 adopted on June 22, 2016 authorized an amendment to Agreement No. CY15-040 with the Bayonne Community Day Nursery increasing same in the amount of \$13,750.00 to cover the cost of the relocation of the gas line, relocation of the security alarm panel and removal/installation of the new bookcases in the library (the "Work") and ratifying and confirming the actions of the Director of Community Development in authorizing the contractor to do the Work; and

WHEREAS, the Fire Subcode Official performed an inspection of the newly installed fire alarm system and advised of several items that needed to be addressed in order to pass the fire inspection (the "Additional Work") as noted on correspondence dated September 7, 2016 attached hereto and made a part hereof; and

WHEREAS, the Department of Community Development was in receipt of a proposal from Bard Construction Co., 252 Fern Avenue, Lyndhurst, New Jersey 07071 addressing the aforesaid items as noted on the correspondence from the Fire Subcode Official dated September 7, 2016 in the amount of \$11,760.00; and

WHEREAS, the Department of Community Development reviewed the aforesaid proposal from Bard Construction Co. dated September 7, 2016 and approved of same; and

WHEREAS, due to exigent circumstances, the Director of Community Development authorized the Additional Work as noted on the aforesaid correspondence dated September 7, 2016 in order to pass the fire inspection prior to the adoption of this resolution; and

WHEREAS, funds are certified in Account CDBG-917; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a second amendment to Agreement No. CY15-040 with the Bayonne Community Day Nursery increasing same in the amount of \$11,760.00 for the purpose of providing the cost of the Additional Work required in order to pass the fire inspection pursuant to the aforesaid correspondence from the Fire Subcode Official dated September 7, 2016 and pursuant to the proposal of Bard Construction Co., 252 Fern Avenue in the amount of \$11,760.00 making the total contract amount \$166,510.00.
2. Funds shall be charged to Account CDBG-917.
3. All other terms and conditions of Agreement No. CY15-040 shall remain the same.
4. The actions of the Director of Community Development in authorizing the Additional Work as noted above are hereby ratified and affirmed.

* * * * *

34. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Municipal Council Resolution No. 16-04-20-071 adopted on April 20, 2016 authorized the Mayor and City Clerk to enter into an agreement with the Bayonne Community Mental Health Center ("BCMHC"), 601 Broadway, Bayonne, New Jersey in the amount of \$162,000.00 for the purpose of funding reconstruction of its building located at 601 Broadway which includes a security system, HVAC system, roofing, electrical work, work to the sanitary pipe and façade; and

WHEREAS, pursuant to the aforesaid Resolution No. 16-04-20-071, the City of Bayonne entered into Agreement No. CY16-041 with the BCMHC to provide the cost for the aforesaid reconstruction services; and

WHEREAS, the architect, DAL Design Group, advised the Office of Community Development that it was necessary to redesign the façade improvements due to field conditions uncovered during construction; and

WHEREAS, the Municipal Council adopted Resolution 16-08-24-082 on August 24, 2016 authorizing an amendment to the aforesaid Agreement No. CY16-041 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey increasing same in the amount of \$31,500.00 for the purpose of providing the cost of additional labor and material required to perform the necessary work in connection with the aforesaid redesign of the façade improvements pursuant to the Invoice from AA-ABCO Construction, 47 Newman Avenue, Bayonne, New Jersey 07002 dated August 13, 2016, making the total contract amount \$193,500.00; and

WHEREAS, upon installation of the security system, it was discovered that there were not enough electrical outlets throughout the building to accommodate the aforesaid security system; and

WHEREAS, the Office of Community Development is in receipt of an Invoice from AA-ABCO Construction for the installation of the additional electrical outlets in the amount of \$3,975.00; and

WHEREAS, the Office of Community Development performed an inspection and approved the proposal for the additional electrical outlets; and

WHEREAS, funds are certified as available in Account CDBG-917; now, therefore, be it

1. The Mayor and City Clerk are hereby authorized to execute a second amendment to Agreement No. CY16-041 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey increasing same in the amount of \$3,975.00 for the purpose of providing the cost of additional electrical outlets necessary to accommodate the security system pursuant to the Invoice from AA-ABCO Construction, 47 Newman Avenue, Bayonne, New Jersey 07002 dated September 19, 2016 making the total contract amount \$197,475.00.
2. Funds shall be charged to Account CDBG-917.

3. All other terms and conditions of Agreement No. CY16-041 shall remain the same.

* * * * *

35. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

Whereas the Bayonne Urban Enterprise Zone, in conjunction with the Bergen Point Merchants, hosted the Bergen Point Fall Festival on October 15, 2015, and
Whereas The UEZ Coordinator was required to undertake various actions to ensure the success of the Festival including the waiver of various fees, now therefore, be it
Resolved that the actions of the UEZ Coordinator that were required to be undertaken, including the creation of a UEZ Project entitled "Fall Festival 2015" are hereby ratified and confirmed.

* * * * *

36. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the Fire Department is in possession of two (2) rehabilitation fans and an older model trailer with no VIN or identifying plate; and

WHEREAS, the Director of Public Safety has determined that the City no longer has a need for the aforesaid two (2) rehabilitation fans and trailer; and

WHEREAS, the Bayonne Board of Education has expressed a need for the aforesaid two (2) rehabilitation fans and trailer; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Director of Public Safety and/or any other appropriate City Official is/are hereby authorized to take any and all actions and execute any and all documents necessary to effectuate the donation of the aforesaid two (2) rehabilitation fans and trailer to the Bayonne Board of Education.

* * * * *

37. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the Director of Public Safety has determined that the following vehicles are out of service and beyond repair:

1989 Mack Baker Aerialscope -Vin #1M2A150C9KM001390
1983 Dodge Cargo Truck - Vin #CB113HP10599
1972 White Freightliner Tractor Vin #1B7LD34W9DS467316

WHEREAS, the Director of Public Safety has further determined that the City no longer has a need for the aforesaid vehicles and that said vehicles should be sold to the highest bidder at auction as scrap; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Director of Public Safety and/or any other appropriate City Official is/are hereby sell as scrap or to highest bidder at auction the above listed vehicles subject to the applicable statutes and regulations governing such sales.

* * * * *

38. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

RESOLVED, That the application of the below listed organizations for RAFFLE LICENSE be granted:

LICENSEE	TIME & PLACE	LICENSE
St. Vincent de Paul R.C. Church	12:00-5:00 PM 979 Avenue C December 3, 2016	RL: 9135

* * * * *

39. Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, the City of Bayonne has requested qualifications from engineering firms with respect to preparing a New Jersey State Certified Tax Map for the City of Bayonne including aerial photogrammetric Geographical Information System (GIS) digital mapping compatible with the City's current GIS program (Spatial Data Logic) as well as any relevant State of New Jersey digital mapping standards; and

WHEREAS, submissions were received from the following firms:

- 1) Civil Solutions of Hammonton, NJ
- 2) Remington Vernick & Arango of Secaucus, NJ
- 3) CME Associates of Parlin, NJ
- 4) Neglia Engineering of Lyndhurst, NJ
- 5) Suburban Consulting of Flanders, NJ
- 6) Spatial Data Logic of Somerset NJ.

AND

WHEREAS, it appears from the submission that the three most qualified firms to provide these services for the City of Bayonne are:

- 1) Civil Solutions
- 2) Remington Vernick & Arango and
- 3) CME Associates

NOW, THEREFORE, BE IT

RESOLVED, by the Municipal Council of the City of Bayonne, that:

- 1) The recitals above are incorporated herein by reference.
- 2) The Business Administrator of the City of Bayonne in consultation with the City Law Director, City Tax Assessor, Chief Financial Officer and a member of this municipal council selected by the City Council President, who may also be the City Council President, are authorized to further negotiate with and solicit cost proposals from the above qualified firms in order to present to this counsel a proposed contract for the desired tax map preparation services with the understanding that any such contract shall be subject to final approval by this municipal council of said contract and of funding for it.
- 3) The Business Administrator, City Law Director, City Tax Assessor, Chief Financial Officer and municipal council member participating in the above negotiations are authorized to take any actions necessary to effectuate the purposes of this resolution, provided that the terms of any resulting contract proposal shall be provided to the full municipal council and subject to an affirmative vote of the majority of same.
- 4) This resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

40. Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Flournoy Gethers VFW Post #7470, 33-35 West 19th Street, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Flournoy Gethers VFW Post #7470 has requested and submitted a formal written application dated February 26, 2015 for said CDBG Grant Funds in the amount of \$32,900.00 for the purpose of providing the cost of reconstruction from Seymour Building, 1500 74th Street, North Bergen NJ 07047; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of reconstruction from Seymour Building, 1500 74th Street, North Bergen NJ 07047; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-917; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Flournoy Gethers VFW Post #7470, 33-35 West 19th Street for the provision of providing the cost of reconstruction from Seymour Building, 1500 74th Street , North Bergen NJ 07047in the amount of \$32,900.00 for the period commencing September 1, 2015 and ending August 31, 2016.

2. Funds shall be charged to Account #CDBG-917

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

41. Council Member LaPelusa moved the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

WHEREAS, the City of Bayonne, has submitted a funding request to the Port Authority of New York and New Jersey Maritime Security Committee (AMSC) acting on behalf of the United States Department of Homeland Security (DHS), pursuant to the FY 2016 Port Security Grant Program (PSGP) for a PSGP subgrant in the amount of \$37,500.00 with a local match of \$9,375.00 to provide equipment and maintenance for the Fire Department Marine Vessel for a three (3) year period;

WHEREAS, the city has been informed by FEMA that the subgrant application has been approved (DHS Award Number EMW-2016-PU-00565-S01); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or such other municipal official as may be required by FEMA to accept said grant be and is hereby authorized to execute any and all documents and to take any and all actions as may be necessary to accept the aforesaid Grant Number EMP-2016-PU-00565 in the amount of \$37,500 and is hereby authorized and directed to take the necessary steps to comply with the instructions in the FEMA Award Notification to obtain the sub-grant.

2. Matching funds in the amount of \$9,375.00 shall be provided through the use of City employees.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

42. Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING BAYONNE REDEVELOPERS, LLC AS REDEVELOPER OF A PORTION OF THE PENINSULA AT BAYONNE HARBOR, REFERRED TO AS HARBOR STATION SOUTH, WHICH PROPERTIES ARE SHOWN AS BLOCK 720, LOT 1, BLOCK 791, LOT 1 AND BLOCK 700, LOT 1 ON AN APPROVED FINAL MAJOR SUBDIVISION PLAT AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH BAYONNE REDEVELOPERS, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Bayonne in its capacity as the redevelopment entity (the “Municipal Council”) for the City of Bayonne (the “City”) is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Bayonne Military Ocean Terminal (hereinafter referred to as the “Peninsula”) as an area in need of redevelopment, including certain property known as Block 700 Lot 1; Block 720, Lot 1; Block 730 Lot 1; Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 780, Lot 1; Block 790, Lot 1; and Block 730, Lot 2, on the official tax map of the City of Bayonne, which is referred to as Harbor Station South (the “Redevelopment Property”); and

WHEREAS, the City has adopted an Amended Redevelopment Plan for the Redevelopment Property (hereinafter referred to as the “Amended Redevelopment Plan”) defined herein below which Amended Redevelopment Plan supersedes and replaces all prior redevelopment plans applicable to the Redevelopment Property; and

WHEREAS, the City is the owner of the Redevelopment Property; and

WHEREAS, the Redevelopment Law authorizes the City to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated “as an area in need of redevelopment” pursuant to N.J.S.A. 40A:12A-8; and

WHEREAS, the City approved the subdivision of the Redevelopment Property pursuant to a Final Major Subdivision Plat, prepared by Partner Engineering and Science, Inc., dated November 11, 2015 (“Major Subdivision Plat”), which modified the existing lots within the Redevelopment Property for future sale and redevelopment purposes; and

WHEREAS, the Major Subdivision Plat has not yet been recorded with the Office of the Hudson County Register; and

WHEREAS, among other lots, the Major Subdivision Plat creates “Proposed Block 720, Lot 1” consisting of approximately 14.45 acres of land and “Proposed Block 791, Lot 1” consisting of approximately 2.9 acres of land; and

WHEREAS, by Resolution adopted on April 20, 2016, the City authorized a Request for Qualification for redevelopers to submit proposals for the redevelopment of the Redevelopment Property; and

WHEREAS, Bayonne Redevelopers, LLC (the “Redeveloper”), through its affiliate JMF Acquisitions Group, L.L.C., informed the City of its interest in acquiring and redeveloping the portion of the Redevelopment Property identified as Proposed Block 720, Lot 1, Proposed Block 791, Lot 1 and Existing Block 700, Lot 1 on the Final Major Subdivision Plat (hereinafter referred to as the “Property”); and

WHEREAS, in connection with the redevelopment of the Property, the City intends to sell, and the Redeveloper intends to purchase the Property for redevelopment purposes, subject to the terms, obligations and conditions set forth in the redevelopment agreement for the sale and purchase as well as the redevelopment of the Property (the “Redevelopment Agreement”); and

WHEREAS, a Redevelopment Agreement has been prepared and presented to the Municipal Council for review and approval; and

WHEREAS, the Municipal Council desires to enter into the Redevelopment Agreement with the Redeveloper, and recognize Bayonne Redevelopers, LLC as redeveloper of the Property, as provided for and in accordance with the provisions of the Redevelopment Law.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment and Purchase and Sale Agreement by and between the City of Bayonne as Redevelopment Entity and Bayonne Redevelopers LLC as Redeveloper” concerning the Property identified as Block 700, Lot 1, Block 720, Lot 1 and Block 791, Lot 1 on the Final Major Subdivision Plat, in such a form deemed advisable by the City Attorney, or Special Redevelopment Counsel to the City, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney, or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement by the City of Bayonne and Bayonne Redevelopers LLC recognizes Bayonne Redevelopers LLC, as Redeveloper of Block 700, Lot 1, Block 720, Lot 1 and Block 791, Lot 1 on the Final Major Subdivision Plat subject to the terms and conditions set forth in the

Redevelopment Agreement and as provided for and in accordance with the provisions of the Redevelopment Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by Bayonne Redevelopers LLC.

Section 4. The Mayor and Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the City of Bayonne, as is necessary to effectuate the terms of the Redevelopment Agreement, as deemed advisable by the City Attorney or Special Redevelopment Counsel.

Section 5. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

43. Council Member LaPelusa moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY2016 TRANSPORTATION ALTERNATIVES PROGRAM

WHEREAS, the FY2016 Transportation Alternatives Program (the “Program”) provides federal funds for community based “non-traditional” projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation’s intermodal system; and

WHEREAS, the FY2016 Program is being administered by the New Jersey Department of Transportation; and

WHEREAS, the maximum amount of grant funds available is \$1 million, and no municipal matching funds are required; and

WHEREAS, the attached grant application describes the terms and conditions of applying for the grant funding; and

WHEREAS, the City of Bayonne recognizes the significant efforts made by local businesses to improve the streetscapes along Broadway between 22nd and 25th Streets; and

WHEREAS, the City of Bayonne recognizes that further improvements to the Broadway corridor between 22nd and 25th Streets will have significant positive impacts on the local economy and transportation infrastructure; and

WHEREAS, the City of Bayonne wishes to apply for funding in order to fix drainage issues, improve attractive streetscapes, and provide a safe environment for pedestrians and bicycle riders who are travelling between the residential neighborhoods adjacent to Broadway and the local businesses along the Broadway corridor; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne as follows:

- A. The Council of the City of Bayonne hereby accepts the terms of the grant funding and authorizes the electronic submission of the grant application identified as *TA-2016-Bayonne-00065* to the New Jersey Department of Transportation on behalf of the City of Bayonne; and
- B. The Council of the City of Bayonne hereby authorizes submission of the grant application identified as *TA-2016-Bayonne-00065* to the New Jersey Department of Transportation for a requested amount not to exceed \$1 million; and
- C. The City of Bayonne will assume maintenance responsibility over all improvements completed with grant funding awarded under the FY2016 Transportation Alternatives Program; and
- D. In accordance with 23 CFR § 635.105(a)(4) the City of Bayonne is designating Gary S. Chmielewski as the responsible charge for this program. Gary S. Chmielowski is a full-

time employee of the City of Bayonne in the role of Director of the Department of Public Works and will be responsible charge for the proposed project; and

E. This resolution shall take effect immediately upon passage.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

44. Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, the City of Bayonne, has submitted a funding request to the New Jersey Office of Emergency Management (NJOEM) Hazard Mitigation Grant Program (HMGP) Project number FEMA-DR-4086-NJ-498-R for the Energy Allocation Initiate Program to purchase and install two (2) diesel fuel-powered, trailer-mounted generators to supply backup power in times of emergency need to the City’s two (2) warming/cooling centers as follows:

<u>Location</u>	<u>Address</u>
Community Center	579 Broadway
Senior Center	329 Broadway

; and

WHEREAS, funding has been made available in an amount not to exceed the total project cost of \$82,130 with a Federal share of \$75,000 and the non-Federal share of \$7,130 matching funds payable by the City; and

WHEREAS, funds are certified as available in Account #PS-6; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or such other municipal official as may be required by FEMA to accept said grant be and is hereby authorized to execute any and all documents and to take any and all actions as may be necessary to accept the aforesaid Grant Number FEMA-DR-4086-NJ in the amount of \$75,000 and is hereby authorized and directed to take the necessary steps to comply with the instructions in the FEMA Award Notification to obtain the aforesaid grant.
2. Matching funds in the amount of \$7,130 shall be charged to Account #P-6.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

45. Council Member LaPelusa moved the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN THE SCATTERED SITE REDEVELOPMENT PLAN AND CONSIDER AMENDING THE REDEVELOPMENT PLAN TO INCLUDE THE PROPERTY LOCATED AT 477 AND 479-481 BROADWAY, AND 19-25 W 22ND ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 204, LOTS 2 & 3, AND BLOCK 203, LOT 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”), a public body corporate and politic of the State of New Jersey (the “State”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14*; and

WHEREAS, on March 16, 2005, the Bayonne Municipal Council (the “Municipal Council”) adopted Resolution 05-03-16-048 requesting the Planning Board of the City (the

“Planning Board”) to conduct a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the subject area, which consists of 34 sites including the Parcel (the “Scattered Site Study Area”), qualified as ‘an area in need of redevelopment’ in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*, and if so, to prepare a redevelopment plan; and

WHEREAS, H2M Associates, Inc., on behalf of the Planning Board, prepared a report entitled the ‘Scattered Site Redevelopment Study’ dated December 7, 2005 (the “Scattered Site Redevelopment Study”) for the Municipal Council’s consideration; and

WHEREAS, on December 14, 2005, the Municipal Council adopted Resolution 05-12-14-064 designating the Scattered Site Study Area, which included the Parcel, as an area in need of redevelopment (the “Scattered Site Redevelopment Area”); and

WHEREAS, on January 25, 2006, the Municipal Council passed Ordinance O-06-02 which adopted the Scattered Site Redevelopment Plan prepared by H2M Associates, Inc. for the Scattered Site Redevelopment Area in accordance with the Redevelopment Law (the “Redevelopment Plan”); and

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to amend a Redevelopment Plan; and

WHEREAS, the City believes that the property identified as Block 204, Lots 2 and 3, and Block 203, Lot 4 (the “Property”) on the City’s Tax Maps is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

WHEREAS, the Municipal Council believes that the preparation of an amended Redevelopment Plan to include the Property is in the best interests of the City for the redevelopment of the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to amend the Redevelopment Plan to include the Property identified as Block 204, Lots 2 and 3, and Block 203, Lot 4 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

Section 2. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 3. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

46. Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

CHAPTER 159, NO 1

WHEREAS, *N.J.S. 40a:4-87* provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED, that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2016 in the sum of \$16,440.20 which has been granted by the Fire House Subs Public Safety Foundation

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$16,440.20 and the same is hereby appropriated under the caption of

FIREHOUSE SUBS PUBLIC SAFETY GRANT

SECTION III

BE IT FURTHER RESOLVED, that the above is the result of moneys granted by the Fire House Subs Public Safety Foundation.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

47. Council President Nadrowski moved the following resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

CHAPTER 159, NO 2

WHEREAS, N.J.S. 40a:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED, that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2016 in the sum of \$9,396.00 which has been received from Union Paving & Construction Co., Inc.

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$9,396.00 and the same is hereby appropriated under the caption of

NEW JERSEY TURNPIKE SHUTTLE SERVICE

SECTION III

BE IT FURTHER RESOLVED, that the above is the result of moneys received by the Union Paving & Construction Co. Inc.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

48. Council Member LaPelusa moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

CHAPTER 159, NO 3

WHEREAS, N.J.S. 40a:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED, that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2016 in the sum of \$15,015.95 which has been received from the State of New Jersey, Body Armor Replacement Fund.

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$15,015.95 and the same is hereby appropriated under the caption of

2016 BODY ARMOR REPLACEMENT GRANT

SECTION III

BE IT FURTHER RESOLVED, that the above is the result of moneys granted from the State of New Jersey, Body Armor Replacement Grant.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

49. Council Member LaPelusa moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds paid for Police Auction Funds to offset the costs of municipal Police Expenses.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

50. Council President Nadrowski moved the following resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds paid for Towing Liens to offset the costs of municipal Towing.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

51. Council Member LaPelusa moved the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds paid for Ground Restoration Fees to offset the costs of municipal Street Repairs.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

52. Council President Nadrowski moved the following resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Bayonne, County of Hudson, New Jersey as follows:

1.The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds paid for Recreation Programs to offset the costs of operating municipal Recreation Programs.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

53. Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds paid for Tree Replacement Fund to offset the costs of tree planting.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

54. Council President Nadrowski moved the following resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, ExxonMobil Environmental Services Company, 470 Broadway, Suite 352, Bayonne, New Jersey (“ExxonMobil”) is performing remedial investigation activities at the ICI Subsite of the former Exxon Bayonne Terminal (NJDEP Program Interest #014960); and

WHEREAS, monitoring wells are required by the New Jersey Department of Environmental Protection in accordance with ongoing remedial evaluations at the site; and

WHEREAS, ExxonMobil has provided to the City of Bayonne a Scope of Work associated with the installation of two monitoring wells on Block 452.02, Lot 4, a City owned property; and

WHEREAS, the installation of the aforesaid proposed monitoring wells and proposed soil borings is in the best interest of the health, safety and general welfare of the citizens of Bayonne; and

WHEREAS, has provided the City with a Scope of Work and a Site Map with a diagram illustrating construction details of the site of the monitoring wells; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to ExxonMobil Environmental Services Company, 470 Broadway, Suite 352, Bayonne, NJ 07002 to install two (2) monitoring wells within Block 452.02, Lot 4 pursuant to the Scope of Work Space and a Site Map with a diagram illustrating construction details of the site of the monitoring wells, attached hereto and made a part hereof, on the condition that: 1) ExxonMobil enters into a Right of Entry/Access Agreement in a form acceptable to the City and approved by the City’s Law Department; 2) no cost or expense shall be borne by the City relating in any way to ExxonMobil’s request for access; 3) the proposed Scope of Work is approved by the City’s engineer and LSRP at the property owner’s expense; 4) no permits will issue without a fully executed Right of Entry/Access Agreement; 5) valid permits to be issued by the City’s Building Department prior to the start of any work; and 6) ExxonMobil shall abide by any and all requirements of the City deemed necessary to protect the City’s property and citizens.
2. The Mayor and City Clerk are hereby authorized to sign any and all documents necessary to effectuate same.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

At 7:51 P.M., Council President Nadrowski motioned to adjourn, seconded by Council Member LaPelusa, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa and President Nadrowski.

Absent – Council Member Perez.

* * * * *

President – Sharon A. Nadrowski

Deputy Clerk- Madelene Medina